

Dated: February 24, 2014



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Attorney for Edward J. Maney, Chapter 13 Trustee

Eddward P. Ballinger Jr., Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

In re:

CECIL A. SANDERS, JR.

and

CHONG HUI SANDERS,

Debtors.

In Proceedings Under Chapter 13

Case No. 2:12-bk-05169-EPB

DISMISSAL ORDER

This matter having come before the Court on the Debtor's Objection to Claim No. 5 and after a hearing held on February 19, 2014 at 11:00 a.m. (Minute Entry docket #81); It having been shown to the Court that the Trustee filed a Motion to Dismiss for delinquent plan payments on December 12, 2013 (docket #76) and:

1. That Debtors' plan payments are now delinquent \$61,480.00, the Trustee not having received a plan payment from the Debtors since July, 2013.

NOW THEREFORE IT IS ORDERED:

(A) This case is dismissed and the Clerk of the Court will give notice of the dismissal to all creditors;

(B) A motion to reinstate the case may be granted without a hearing if the Trustee approves the proposed reinstatement order. If the Trustee does not approve reinstatement of the case, the matter may be set for hearing upon the Debtor(s) motion. The Court may set a hearing on the Debtor(s) motion to reinstate on the request of an interested party who had joined the Trustee's request for dismissal;

(C) Pursuant to 28 U.S.C. §586(e)(2), the Trustee shall be paid his percentage fee from all payments received from the Debtor(s);

(D) After payment of the Trustee's percentage fee, the Trustee will retain the Debtor(s) funds pending Court approval of the payment of administrative expenses of the Debtor(s) attorney.

1 If the Debtor(s) Chapter 13 Plan contained an Application for the Payment of Administrative
2 Expenses to the Debtor(s) attorney and no party filed an objection to the Application, the Debtor(s)
3 attorney may lodge an order approving the Application within ten days after the Court enters this
4 Dismissal Order. Alternatively, the Debtor(s) attorney has ten days from the date the Court enters
5 this Dismissal Order to file a separate fee application;

6 (E) If the Court previously entered a payroll deduction order on one or both of the
7 Debtor(s) wages, the Court vacates that order; and

8 (F) Except as may be stated herein, all pending adversary proceedings, contested matters,
9 and administrative hearings relating to this case are vacated.

10 _____
ORDER SIGNED AND DATED ABOVE
11 _____

12 Lodged with the Court and copies mailed [see digital signature] to:

13 WILLIAM PONATH, ESQ.
14 16421 N TATUM BLVD STE #121
15 PHOENIX AZ 85032
Attorney for Debtors

16 CECIL A. SANDERS, JR. & CHONG HUI SANDERS
17 7648 E BALTIMORE ST
MESA AZ 85207
Debtors

18
19 BY: Andrew M. Dudley Digitally signed by Andrew M. Dudley
DN: cn=Andrew M. Dudley, o=Edward J. Maney, Trustee,
ou=Staff Attorney, email=andrewd@maney13trustee.com,
c=US
Date: 2014.02.20 11:20:46 -07'00'